

REMARKS

Claims 8 and 9 have been amended for consistency and to provide proper antecedent basis. Support may be found in claim 7. No new matter has been added. Entry is requested

Claims 1-16 are rejected under 35 U.S.C § 102 (b) as anticipated by or, in the alternative, under 35 U.S.C § 103 (a) as obvious over vanDrongelen et al. (U.S. Patent No. 6,103,814).

The examiner cites vanDrongelen as teaching a hot melt adhesive composition suitable for the manufacture of soft goods and which comprise styrene block copolymers, tackifiers and properties (e.g., creep performance, viscosity) within the teachings of the present claims. While acknowledging that vanDrongelen fails to disclose of the characteristics and properties disclosed in the applicant's claims, it is the examiner's position that such features are inherent in the vanDrongelen hot melt adhesive. In the event vanDrongelen does not satisfy the requirements of Section 102, the examiner urges that the subject claims are within the generic disclosure of vanDrongelen.

The vanDrongelen patent is directed to hot melt adhesives comprising a styrenic block copolymer and a tackifying resin. Tackifying resins that must be used in the practice of the invention are those that when added to a reference composition leads to certain enumerated properties of the reference sample.

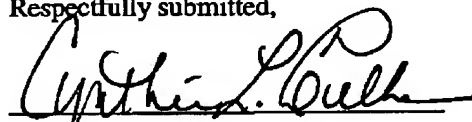
Tackifying agents identified in this patent as useful in the practice of the invention are partially hydrogenated resins having identifiable properties, specifically ranges of R&B, MMAP, DACP and UV absorbance (col. 8, lines 49-63, col. 15, lines 39-67). The most preferred tackifier is the partially hydrogenated aromatic C9 hydrocarbon resin having the properties set for in col. 16, lines 5-10. This resin is identified is designated in the patent as

"Inventive Resin", abbreviated "RESIN I" (col. 16, line 14). No commercial source is disclosed and it is questionable whether such a tackifying resin can be made by one of ordinary skill in the adhesive art without undue experimentation based of the vanDrongelen disclosure (col. 16, line 15 to col. 17, line 22). Nevertheless, it is clear that the adhesive of vanDrongelen fails to exhibit the properties of applicants' claimed invention. Inspection of the properties set forth in the Tables of vanDrongelen show that the adhesives disclosed by vanDrongelen have consistently higher viscosities than do the adhesives claimed by applicants. Applicants' claimed adhesives have a viscosity at 275°F (135°) of less than about 8,000 centipose. Moreover, there is no disclosure or suggestion in vanDrongelen for use of an ionomer resin as required in claims 7-9.

Applicants can find no example of in the vanDrongelen patent that has the viscosity and creep performance claimed by applicants. The examiner is respectfully requested to refer specifically to an example.

It is submitted that vanDrongelen neither anticipates nor renders obvious applicants' claimed invention. Withdrawal is requested.

Respectfully submitted,



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